

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

BANC DE BINARY LTD.,

Defendant.

2:13-cv-00993-RCJ-VCF

**ORDER**

This case arises out of the alleged trading of unregistered securities. The Court has entered a preliminary injunction, ruling that although they are not in fact options, the “binary options” Defendant is alleged to sell are “securities” under the Securities Exchange Act of 1934, as amended. Plaintiff asked to amend the Complaint to add Oren Shabat Laurent as a Defendant. Mr. Laurent is the founder, president, chief executive officer, 50% shareholder, and executive director of Defendant. Neither Defendant nor Mr. Laurent timely opposed the motion, and the Court granted it. Plaintiff has asked to Amend again to add ET Binary Options Ltd., BO Systems Ltd. Seychelles, and BDB Services Ltd. Seychelles as Defendants. Neither Defendants nor the parties proposed to be joined have timely objected. The Court therefore grants the motion.

Also, Attorneys Berry and Hakala have asked to appear *pro hac vice* on behalf of the SEC. The Court will permit these attorneys to appear if they submit declarations indicating their review of and assent to the Nevada Rules of Professional Conduct, but they have not yet done so. The Court previously permitted Attorney Longo to appear without submitting such a declaration.

1 The Court now requests that she also submit such a declaration at this time. The Court must  
2 require this in fairness to the opposing parties. *See EEOC v. Wells Fargo Bank, N.A.*, No. 3:13-  
3 cv-528, 2014 WL 258560, at \*2 (D. Nev. Jan. 23, 2014) (Jones, J.) (“[T]he Court will not permit  
4 the attorneys in this case to be governed by different sets of ethical rules.”). The Court will also  
5 require Plaintiff to show, as the EEOC did in the cited case, that the U.S. Attorney’s Office in  
6 this District is incapable of litigating the present matter either by statute or due to a lack of  
7 manpower or subject-matter experience.

8 **CONCLUSION**

9 IT IS HEREBY ORDERED that the Motion to Amend (ECF No. 49) is GRANTED.

10 IT IS FURTHER ORDERED that the Motion for Leave to Appear (ECF No. 4) is  
11 DENIED, without prejudice.

12 IT IS SO ORDERED.

13 Dated this 10th day of March, 2014.

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16 ROBERT C. JONES  
17 United States District Judge  
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